



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/652,141

Filing Date

08/29/2003

First Named Inventor

Hurd

Art Unit

3727

Examiner Name

Tri M. Mai

Attorney Docket Number

HURD-01

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Schox, PLC

Signature

Printed name

Jeffrey Schox

Date

13 December 2006

Reg. No.

42,445

CERTIFICATE OF TRANSMISSION/MAILING

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Date

13 December 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3727
Examiner: Tri M. Mai
Serial Number: 10/652,141
Filing Date: 08/29/2003
First Inventor: Jonathan H. Hurd
Title: A Cargo System Attachable to a
Roof Rack

**RESPONSE to
RESTRICTION dated
13 November 2006**

CERTIFICATE OF MAILING

I, Jeffrey Schox, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

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Date: 13 DEC 2006

By: 

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is a response to the Office Action mailed 13 November 2006. Please reconsider the above-identified application as follows:

PROVISIONAL ELECTION

The Examiner has required the Applicant to elect a single disclosed species amongst the following three groups:

Group I : the embodiment in FIGS. [sic] 2, and [sic]

Group II : the embodiment in FIG. 4 [sic]

Group II [sic] : the embodiment in FIGS. 7-9.

The Applicant assumes that the Examiner meant to write "Group III: the embodiment in FIGS. 7-9." Based on this assumption, the Applicant hereby elects Group I with traverse. Claims 10-33 are currently pending. The Applicant asserts that independent Claim 10 (with dependent Claims 11 and 13-16) and independent Claim 12 (with dependent Claims 24-32) read on the embodiment of Group I.

REQUEST FOR RECONSIDERATION

The application currently has three independent claims: Claims 10, 12, and 17. Each claim appeared, more or less, in the *original* application. All three claims were rewritten in independent form in the response to the *first* office action. In the *second* office action, these three independent claims were *allowed*. In the *third* office action, the Examiner withdrew the allowances.

The Examiner now effectively requires, in the *fourth* office action, that the Applicant choose either independent Claims 10 and 12 or independent Claim 17. The Applicant asserts that the Examiner has not established why now, after the U.S. Patent and Trademark Office has viewed and examined these same claims *three* previous times, there would be a burden on the Examiner if the restriction is not required. The Applicant respectfully requests reconsideration and withdrawal of the restriction requirement.

Serial No.: 10/652,141
Attorney Docket No.: HURD-P01

Respectfully submitted,

Date: 13 DEC 2006

By: 

Jeffrey Schox

Reg. No. 42,445

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